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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,177	03/14/2001	Richard Bruce Roden	031787.0090	2532

26118 7590 11/19/2002

BROBECK, PHLEGER & HARRISON, LLP
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1333 H STREET, N.W. SUITE 800
WASHINGTON, DC 20005

EXAMINER

RAWLINGS, STEPHEN L

ART UNIT	PAPER NUMBER
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1642

DATE MAILED: 11/19/2002

11

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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11

DATE MAILED:

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Commissioner of Patents and Trademarks

Response to Amendment

1. The election with traverse filed September 3, 2002 in Paper No. 10 is acknowledged and has been entered.

2. The reply filed on September 3, 2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

In reply to the Office Action mailed July 2, 2002 (Paper No. 9), Applicants elected the invention of claim 41. However, as set forth in the restriction requirement, claim 41 encompasses 30 distinct inventions. Applicants were required under 35 USC § 121 to elect a single disclosed species of invention and failed to do so. See 37 CFR 1.111.

In reply to this Office communication, Applicants are required to elect one invention by specifically identifying the one or more proteins to which claim 41 is to be drawn for the purpose of examination.

Applicants are again advised that according to 37 CFR § 1.143, a complete reply to the restriction requirement set forth in Paper No. 9 must include an election of a *single* invention to be examined even though the requirement is traversed.

3. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen L. Rawlings, Ph.D. whose telephone number is (703) 305-3008. The examiner can normally be reached on Monday-Thursday, alternate Fridays, 8:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony C. Caputa, Ph.D. can be reached on (703) 308-3995. The fax

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phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 308-4242 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Stephen L. Rawlings, Ph.D.

Examiner

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slr

November 14, 2002

UNITED STATES PATENT AND
TRADEMARK OFFICE
TECHNOLOGY CENTER 1000

ANTHONY C. CAROTA
COMMISSIONER PATENT EXAMINER
TECHNOLOGY CENTER 1000